

JS 44 (Rev. 01/29/2018)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

UNITED STATES OF AMERICA and NEW YORK STATE ex rel. J. DOES

DEFENDANTS

EAST COAST ORTHOTIC AND PROSTHETIC CORP., et al.,

(b) County of Residence of First Listed Plaintiff

(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

(c) Attorneys (Firm Name, Address, and Telephone Number)

Sadowski Katz LLP

Robert W. Sadowski

830 Third Ave, Fifth Fl, New York, NY 10022 646 503-5341

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State ☒ 1 ☐ 2 ☐ 3
- Citizen of Another State ☐ 2 ☐ 3
- Citizen or Subject of a Foreign Country ☐ 3 ☐ 4
- Incorporated or Principal Place of Business In This State ☐ 1 ☐ 2 ☐ 3
- Incorporated and Principal Place of Business In Another State ☐ 4 ☐ 5 ☐ 6
- Foreign Nation ☐ 4 ☐ 5 ☐ 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<input type="checkbox"/> 424 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <input type="checkbox"/> 425 Habeas Corpus 28 USC 1254 <input type="checkbox"/> 426 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 427 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 428 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 429 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 430 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 431 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 432 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 433 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 434 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 435 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 436 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 437 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 438 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 439 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 440 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 441 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 442 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 443 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 444 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 445 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 446 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 447 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 448 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 449 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 450 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 451 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 452 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 453 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 454 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 455 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 456 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 457 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 458 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 459 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 460 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 461 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 462 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 463 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 464 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 465 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 466 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 467 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 468 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 469 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 470 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 471 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 472 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 473 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 474 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 475 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 476 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 477 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 478 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 479 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 480 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 481 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 482 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 483 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 484 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 485 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 486 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 487 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 488 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 489 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 490 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 491 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 492 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 493 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 494 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 495 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 496 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 497 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 498 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 499 Writ of Habeas Corpus 28 USC 1254 <input type="checkbox"/> 500 Writ of Habeas Corpus 28 USC 1254	

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

False Claims Act 31 U.S.C. §§ 3729 et seq.

Brief description of cause:

False Claims for payment of funds by U.S. Government

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

04/25/2018

FOR OFFICE USE ONLY

SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

CERTIFICATION OF ARBITRATION ELIGIBILITY

Local Arbitration Rule 83.10 provides that with certain exceptions, actions seeking money damages only in an amount not in excess of \$150,000, exclusive of interest and costs, are eligible for compulsory arbitration. The amount of damages is presumed to be below the threshold amount unless a certification to the contrary is filed.

I, ROBERT W. JADOWSKI, counsel for Relators, do hereby certify that the above captioned civil action is ineligible for compulsory arbitration for the following reason(s):

☒
☐
☒

monetary damages sought are in excess of \$150,000, exclusive of interest and costs,

the complaint seeks injunctive relief,

the matter is otherwise ineligible for the following reason

DISCLOSURE STATEMENT - FEDERAL RULES CIVIL PROCEDURE 7.1

Identify any parent corporation and any publicly held corporation that owns 10% or more of its stocks:

N/A

RELATED CASE STATEMENT (Section VIII on the Front of this Form)

Please list all cases that are arguably related pursuant to Division of Business Rule 50.3.1 in Section VIII on the front of this form. Rule 50.3.1 (a) provides that "A civil case is "related" to another civil case for purposes of this guideline when, because of the similarity of facts and legal issues or because the cases arise from the same transactions or events, a substantial saving of judicial resources is likely to result from assigning both cases to the same judge and magistrate judge." Rule 50.3.1 (b) provides that "A civil case shall not be deemed "related" to another civil case merely because the civil case: (A) involves identical legal issues, or (B) involves the same parties." Rule 50.3.1 (c) further provides that "Presumptively, and subject to the power of a judge to determine otherwise pursuant to paragraph (d), civil cases shall not be deemed to be "related" unless both cases are still pending before the court."

NY-E DIVISION OF BUSINESS RULE 50.1(d)(2)

- 1.) Is the civil action being filed in the Eastern District removed from a New York State Court located in Nassau or Suffolk County? ☐ Yes ☒ No
- 2.) If you answered "no" above:
- a) Did the events or omissions giving rise to the claim or claims, or a substantial part thereof, occur in Nassau or Suffolk County? ☐ Yes ☒ No
- b) Did the events or omissions giving rise to the claim or claims, or a substantial part thereof, occur in the Eastern District? ☒ Yes ☐ No
- c) If this is a Fair Debt Collection Practice Act case, specify the County in which the offending communication was received:

If your answer to question 2 (b) is "No," does the defendant (or a majority of the defendants, if there is more than one) reside in Nassau or Suffolk County, or, in an interpleader action, does the claimant (or a majority of the claimants, if there is more than one) reside in Nassau or Suffolk County? ☐ Yes ☐ No

(Note: A corporation shall be considered a resident of the County in which it has the most significant contacts).

BAR ADMISSION

I am currently admitted in the Eastern District of New York and currently a member in good standing of the bar of this court.

☒

Yes

☐

No

Are you currently the subject of any disciplinary action (s) in this or any other state or federal court?

☐

Yes (If yes, please explain

☒

No

I certify the accuracy of all information provided above.

Signature

Robert W. Jadowski